

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA

- against -

GARY KERSHNER and
SONGKRAM ROY
SAHACHAISERE,

Defendants.

----- X

VITALIANO, D.J.,

WE, THE JURORS, DULY DRAWN AND SWORN TO TRY THIS
ACTION, IN ACCORDANCE WITH PRINCIPLES OF LAW AS CHARGED
BY THE COURT, SAY WE FIND OUR VERDICT BY ANSWERING THE
FOLLOWING QUESTIONS SUBMITTED BY THE COURT:

I. COUNT ONE: CONSPIRACY TO COMMIT SECURITIES
FRAUD

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X

As to defendant SONGKRAM ROY SAHACHAISERE

How do you find defendant SONGKRAM ROY SAHACHAISERE?

Not Guilty _____ Guilty X

FILED
IN CLERK'S OFFICE
US DISTRICT COURT
★ NOV 10 2015
BROOKLYN OFFICE
Rec'd 11/10/15
(S)

VERDICT SHEET

13-CR-452 (S-2) (ENV)



IF you UNANIMOUSLY find either defendant guilty as to COUNT ONE, you must answer the following:

Which of the following overt acts do you UNANIMOUSLY find to have been committed in furtherance of the conspiracy charged in COUNT ONE? (Check ALL that apply.)

- ☒ a. On or about January 14, 2009, Mohammed Dolah arranged, among other things, for cash payments to be made for purchases of the Target Stocks to manipulate the Target Stocks' price and trading volume.
- ☒ b. On or about June 26, 2009, SAHACHAISERE received a telephone call from an individual in Brooklyn, New York, to discuss, among other things, how the Penny Stock Defendants would be able to drive up the prices of the Target Stocks and how they have access to insiders at the Target Stock Companies.
- ☒ c. On or about October 19, 2009, SAHACHAISERE placed a telephone call from Huntington Beach, California, to an individual in Brooklyn, New York, to discuss, among other things, the process by which the Penny Stock Defendants would conceal the true ownership of the Target Stocks.
- ☒ d. On or about June 23, 2011, KERSHNER received a telephone call from an individual in Brooklyn, New York, to discuss, among other things, how KERSHNER would create false documents with fake names and signatures for the Target Stock Companies.
- ☒ e. On or about July 22, 2011, KERSHNER received a telephone call from an individual in Brooklyn, New York, to discuss, among other things, how KERSHNER would create false names of executives in fraudulent documents that the Penny Stock Defendants would use in connection with the Target Stock Companies.
- ☒ f. On or about June 1, 2012, Sandy Winick placed a telephone call from Bangkok, Thailand, to an individual in Brooklyn, New York, to discuss, among other things, issuing false press releases

from the Target Stock Companies for use by the Penny Stock Defendants.

- ~~X~~ g. On or about June 4, 2012, Joseph Manfredonia placed a telephone call from Freehold, New Jersey, to an individual in Brooklyn, New York, to discuss, among other things, how the Penny Stock Defendants should build trading volume for the Target Stocks before intervention by securities regulators.
- h. On or about February 24, 2012, Winick received a telephone call from an individual in Brooklyn, New York, to discuss, among other things, how the Penny Stock Defendants should liquidate the Target Stocks prior to intervention by the Federal Bureau of Investigation.
- ~~X~~ i. On or about February 27, 2012, Winick received a telephone call from an individual in Brooklyn, New York, to discuss, among other things, how the Penny Stock Defendants should liquidate the Target Stocks because of the risk posed by an investigation by securities regulators.
- ~~X~~ j. On or about August 29, 2012, Manfredonia received a telephone call from an individual in Brooklyn, New York, to discuss, among other things, how none of the Penny Stock Defendants even remember the Target Stock Companies' false business plans.
- ~~X~~ k. On or about September 18, 2012, Manfredonia placed a telephone call from Freehold, New Jersey, to an individual in Brooklyn, New York, to discuss, among other things, rescheduling the dissemination of the Target Stock Companies' false press releases to coincide with the promotion of the Target Stocks.

II. COUNT TWO: CONSPIRACY TO COMMIT WIRE FRAUD

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X

As to defendant SONGKRAM ROY SAHACHAISERE

How do you find defendant SONGKRAM ROY SAHACHAISERE?

Not Guilty _____ Guilty X

III. COUNT THREE: WIRE FRAUD on JUNE 26, 2009

As to defendant SONGKRAM ROY SAHACHAISERE

How do you find defendant SONGKRAM ROY SAHACHAISERE?

Not Guilty _____ Guilty X

IV. COUNT FOUR: WIRE FRAUD on OCTOBER 19, 2009

As to defendant SONGKRAM ROY SAHACHAISERE

How do you find defendant SONGKRAM ROY SAHACHAISERE?

Not Guilty _____ Guilty X

V. COUNT FIVE: WIRE FRAUD on JUNE 23, 2011

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X

VI. COUNT SIX: WIRE FRAUD on JULY 22, 2011

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X

VII. COUNT SEVEN: SECURITIES FRAUD re RSGR

As to defendant SONGKRAM ROY SAHACHAISERE

How do you find defendant SONGKRAM ROY SAHACHAISERE?

Not Guilty _____ Guilty X

VIII. COUNT EIGHT: SECURITIES FRAUD re TMHO/FDHC

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X

**IX. COUNT NINE: FALSE STATEMENT TO THE FBI REGARDING
ISSUING STOCK AS PART OF DEBT CONVERSION**

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X

**X. COUNT TEN: FALSE STATEMENT TO THE FBI REGARDING
SANDY WINICK'S INVOLVEMENT IN NKRN**

As to defendant GARY KERSHNER

How do you find defendant GARY KERSHNER?

Not Guilty _____ Guilty X


FOREPERSON'S SIGNATURE

11/9/2015
DATE

Please advise the Court by separate note that you have reached a verdict.